

Staff Summary Report



Development Review Commission Date: 04/10/07

Agenda Item Number: 3

SUBJECT: Hold a public hearing for a General Plan Amendment for **VICTORY ACRES PARK** located at 2407 E McArthur Drive.

DOCUMENT NAME: DRCr_VictoryAcres_041007 **PLANNED DEVELOPMENT (0406)**

SUPPORTING DOCS: Yes

COMMENTS: **PL060586** consists of a General Plan Land Use Map Amendment for 3 acres for the new Victory Acres Park in the R-2 Multi-Family Zoning and CSS Commercial Shopping and Service districts. The request includes the following:

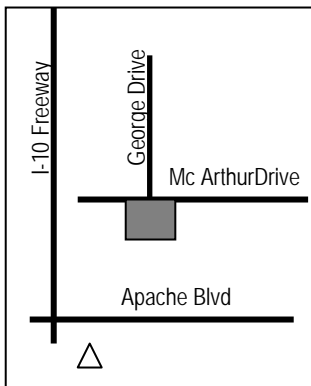
GEP07001 Resolution No. 2007.18 - for a General Plan 2030 Projected Land Use Map Amendment for approximately 3 acres to be amended from the Residential Land Use designation to the Public Open Space Land Use designation.

The applicant is Jeff Valasquez of J2 Design, on behalf of City of Tempe, the owner.

PREPARED BY: Diana Kaminski, Senior Planner (480-858-2391)
REVIEWED BY: Lisa Collins, Planning Director (480-350-8989)
LEGAL REVIEW BY: N/A
FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

ADDITIONAL INFO:



Gross/Net site area	2.6 acres
Building area	800 s.f.
Lot Coverage	1 % (45% maximum)
Building Height	8 ft (30 ft maximum)
Building setbacks	20 ft front, 15 ft open structure, 10 ft side, 5' open structure on side, 15 ft rear
Landscaped area	74%
Vehicle Parking	14 on street
Bicycle Parking	8 racks, 16 spaces

A neighborhood meeting is required with this application. Many meetings were held with residents during the design phase: three meetings were held to discuss the initial scope of the project; these were followed by three more meetings to discuss the park design elements, one park master plan meeting and two skate park meetings. A final neighborhood meeting was held on March 26th to comply with the requirements of the General Plan amendment.

ATTACHMENTS:

1. List of Attachments
- 2-4. Comments / Reasons for Approval
4. Conditions of Approval / History & Facts / Zoning & Development Code Reference
 - A. Resolution 2007.18
 - B. Location Map
 - C. Aerial Photo
 - D. Letter of Explanation/Intent
 - E. Site Plan

COMMENTS:

The applicant is requesting an approval for a General Plan Land Use Map Amendment, for 2.6 acres located north of Apache Boulevard, on McArthur Drive, at the intersection of George Drive, in the Victory Acres Neighborhood. The site is currently designated Residential, and would be amended to Public Open Space, conforming with the proposed new neighborhood park planned at this location. The site is currently zoned R-2 Multi-family, and would remain with this zoning since there is no corresponding zoning for municipal uses or open space. The park design was approved through a staff administrative review process, and is not part of this application. By adding 2.6 acres to the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by increasing the amount required to trigger a major amendment. This proposal is consistent with the General Plan 2030 goals and objectives. Staff recommends approval of the request for the General Plan Land Use Map Amendment.

Public Input

The Zoning and Development Code requires projects that propose a General Plan Amendment must organize a neighborhood meeting regarding a proposal in order to facilitate dialogue with the adjacent community prior to public hearings. After posting the sign and mailing invitations, the applicant held a neighborhood meeting on March 26, 2007 at 7:00pm. During the meeting Parks & Recreation staff informed residents about the General Plan Land Use designation of the land for Victory Acres Park and the proposed change from Residential to Public Open Space. Those in attendance asked about the next steps in the process and were informed of the Council meeting dates. The remainder of the meeting consisted of questions about the infrastructure of the park, bid process and construction timeline. Staff has received no additional input for this request.

General Plan Analysis

Land Use Element:

This project complies with the land use goals and element objectives for General Plan 2030. The land use projected for this site is Public Open Space, which is intended to be accessed by the public for outdoor recreation, events, preservation of natural resources and the promotion of public health, safety and well-being. This neighborhood park fills a service gap for the area, which currently does not have access to a park east of the 101 Freeway. Victory Acres Park will encourage reinvestment and redevelopment appropriate to a particular area, it is a plan to address particular geographic area needs and it promotes neighborhood preservation and enhancement.

Accessibility Element:

The project is required to meet all requirements set forth in the ADA Design Guidelines for new projects. Implementing design for accessibility includes: accessible parking space, minimum size public sidewalks, accessible playground equipment and ramadas, and direct access from the main entrance to the public sidewalk.

Community Design Element:

The project creates a recognizable usable space and a focal point for the Victory Acres Neighborhood. The park plan encourages and enhances pedestrian and bicycle movement, responds to climactic factors and provides opportunities for interaction and observation.

Historic Preservation Element:

The property is not designated as historic, so there is no specific requirement for preservation, or documentation.

Housing Element:

The project will remove 2.6 acres of land that could have been developed for multi-family housing; however, the site has remained vacant for many years. The addition of the park will enhance the surrounding houses and provide a market incentive to develop other nearby vacant parcels.

Neighborhoods Element:

The project meets most of the objectives and strategies identified in this element. The Victory Acres Park was requested by the neighborhood, and was designed with significant resident and stakeholder input. The park will promote neighborhood preservation and enhancement, promote a safe neighborhood environment, minimize traffic impacts and promote a walkable community.

Redevelopment Element:

This site is within the Apache Boulevard Redevelopment Area. The proposed park meets the vision and objectives of the Redevelopment Plan, by adding additional park infrastructure to the area.

Economic Development Element:

This site was not planned for commercial, so there is no loss of economic development opportunity with this land use change. The proposed park does make significant investment to the area, further enhancing the environment for nearby commercial properties that now front light rail along Apache Boulevard and back a public park to the north.

Cost of Development Element:

This is a public project, none of the park infrastructure is being paid for by private development.

Environment (Air, Noise, Ambient Temperature, Energy) Element:

The proposed park will mitigate air quality issues of an existing vacant lot, provide some ambient cooling to the area with the introduction of significant turf, and will not consume significant energy to operate. There may be additional noise in the area from children playing in the park, however the park will have a closing time to enforce quiet hours.

Land (Remediation, Habitat, Solid Waste) Element:

The addition of a park with significant shade trees will provide more opportunity for urban wildlife within the area. There are no other foreseen impacts on this element.

Water (Water, Wastewater, Stormwater) Element:

The site is designed with a water playground that recycles water and minimizes waste. The park is also designed to retain more than this site's required stormwater run-off. The turf will require water to maintain, however, this is the largest available open area to residents living east of the 101 freeway, and it is designed to accommodate significant local use.

Transportation (Pedestrian Network, Bikeways, Transit, Travel-ways) Elements:

This project is within the Transportation Overlay District and has easy transit access to multiple bus routes within Tempe and access via bus and light rail to Phoenix and neighboring communities. The park does not have a direct access to Apache Boulevard; residents will need to follow public sidewalks to access light rail. Should any of the properties along Apache Boulevard redevelop, this would be an ideal opportunity to add pedestrian connections to the light rail station.

Aviation Element:

There are no foreseen issues affecting this element.

Open Space Element:

The proposed park implements this element. As one of the most densely populated areas of the state the Apache Boulevard Redevelopment Area has a need for more public open space. The addition of Victory Acres Park provides open space to a neighborhood that is cut off from Escalante Park by the 101 freeway.

Recreational Amenities Element:

Public recreational areas within this area are limited without driving or taking the neighborhood shuttle. The park will add a BMX bike/Skatepark, water playground, basketball court, horseshoe pits, game tables for board games, ramadas with picnic tables and a large multipurpose field for pick up games of soccer, volleyball and baseball.

Public Art & Cultural Amenities Element:

Public art is not required for this project.

Public Buildings and Services Elements:

The proposed land use enables the City to maintain a high level of service to residents of Victory Acres; the proposed park facilitates infrastructure planning for future service needs and provides a cost efficient means of service delivery. The park distributes services and amenities as needed throughout the community by putting a park east of the freeway.

Public Safety Element:

The surrounding properties have existing fences that serve as the perimeter boundary for the park. The condition of the fences and walls varies, and may in time become a hazard. These walls may also be necessary to maintain security of adjacent private yards and commercial properties. Most parks in Tempe do not have fencing. In this case, the need for perimeter fencing may be determined after construction and a few years of established use. Staff has placed a condition on the design of the park through the administrative approval of the Development Plan Review that states: "In **March 2009**, a review of park security and the condition of the park perimeter shall be conducted by Development Services and Parks and Recreation staff. Results of this review may require changes to the perimeter fencing; landscape treatment; hardscape or the removal or addition of other design elements."

Conclusion

Staff recommends approval of the requested General Plan 2030 Land Use Map amendment.

REASONS FOR APPROVAL:

1. The project meets the General Plan goals and objectives and furthers the long range vision of the City.
2. The project meets the objectives of the Apache Boulevard Redevelopment Plan.
3. There has been strong public support for and involvement with the addition of a park to this area.

CONDITIONS OF APPROVAL:

None with this request, all conditions addressed through the design review application.

HISTORY & FACTS:

2006	City Council authorized the acquisition of 2.6 acres of vacant land from George Tibsherany, for the purposes of developing Victory Acres Park.
March 28, 2007	Development Services staff conditionally approved the Development Plan Review of Victory Acres Park.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-302, General Plan Amendment

RESOLUTION 2007.18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE GENERAL PLAN 2030 PROJECTED LAND USE MAP FROM RESIDENTIAL TO PUBLIC OPEN SPACE AND THE PROJECTED DENSITY MAP FROM MEDIUM DENSITY (UP TO 15 DWELLING UNITS PER ACRE) TO NO DENSITY (ZERO DWELLING UNITS PER ACRE) FOR APPROXIMATELY 2.6 ACRES LOCATED AT 2407 EAST MCARTHUR DRIVE AND OWNED BY THE CITY OF TEMPE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, that the General Plan 2030 Projected Land Use Map and Projected Residential Density Map are hereby amended for approximately 2.6 acres from Residential, Medium Density (up to 15 dwelling units/acre) to Public Open Space, No Density (0 dwelling units per acre), located at 2407 East McArthur Drive.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,
this _____ day of _____ 2007.

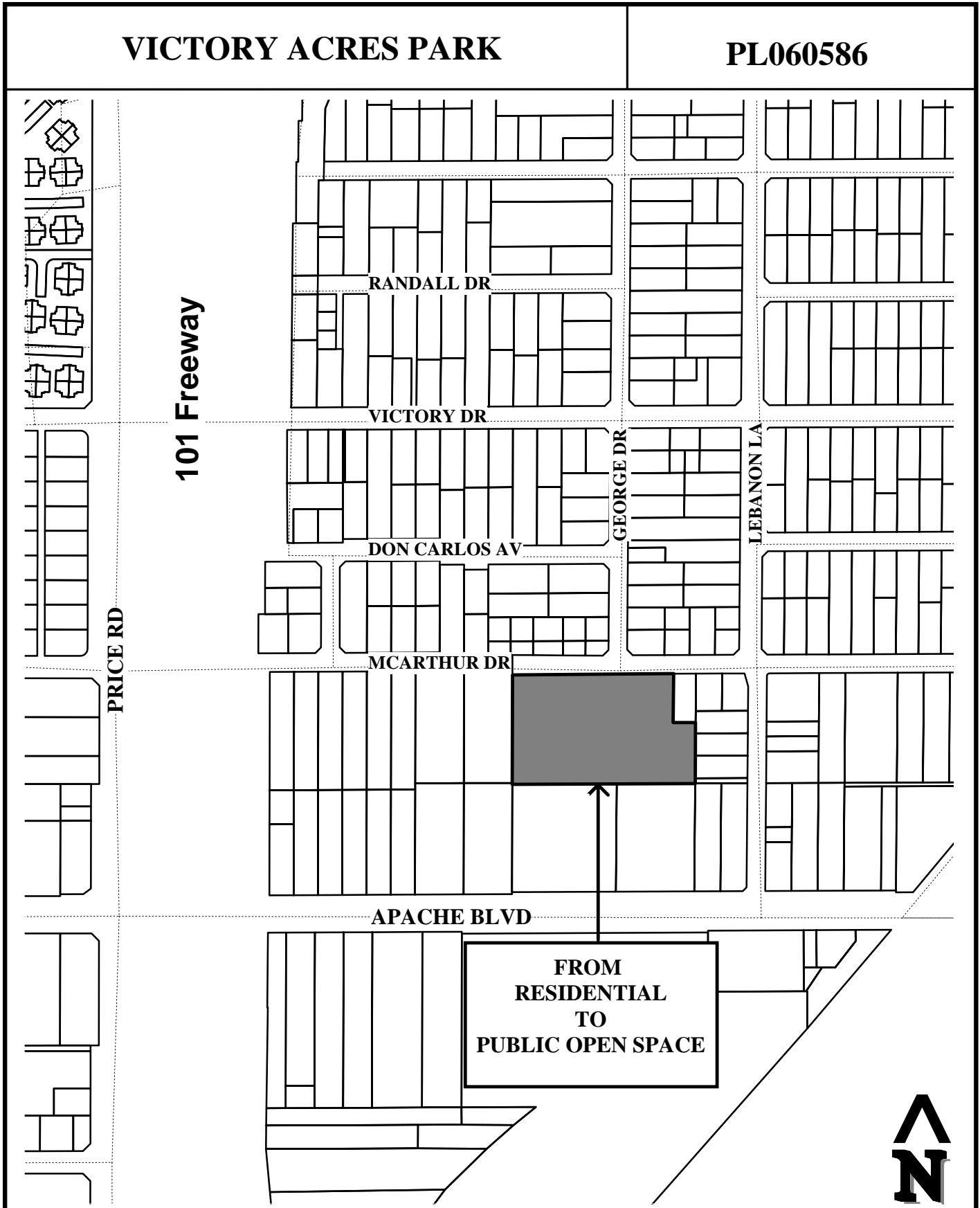
Mayor

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Location Map



VICTORY ACRES (PL060586)

I. Written justification for the amendment, including public benefit:

A. Explanation:

The proposed land use map amendments would change land use designations on specific properties identified as: Double Butte Cemetery Future Mausoleum Site and Victory Acres Park. This amendment implements the General Plan 2030 Land Use, Open Space and Cultural Amenities Elements, and will facilitate accurate accounting and balance of land uses within Tempe.

At the time that the General Plan was adopted by Council (December 2003), several projects were in concept stages that affected the land use, but were not far enough in planning to accurately define the land use designation on a specific property.

- Double Butte Cemetery is zoned General Industrial District (GID) and has a General Plan Land Use designation of Open Space. Tempe does not have a zoning district for public facilities, and the cemetery was designated open space because it was substantially undeveloped, justifiably provided an outdoor open area for respite from the built environment, it is owned, accessed and viewed by the public for the purpose of small gatherings, preservation of natural resources and promotion of public well-being. However, a future phase of the cemetery includes the addition of mausoleums, infrastructure which substantially alters the landscape and creates, in effect a built environment that is no longer open space. This planned expansion and intensification of the use warrants a modification to the land use designation to recreational/cultural. The emphasis in this application being the cultural use; land primarily used for passive activities such as gathering for prayer, personal reflection or historical or genealogical research. By removing 5.4 acres from the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by lowering the amount required to trigger a major amendment.
- Victory Acres Park is zoned Single Family Residential (R1-6) and Multi-Family Residential (R-2) and has a General Plan Land Use of residential with a density of up to 15 dwelling units per acre. Tempe does not have a zoning designation for parks or schools. This park has been discussed for many years, during both the Parks Masterplan outreach and the General Plan public process; but there was not a site available to identify in either plan. State law prohibits identifying public open space on private property; therefore the park could not be sited on a map. Since the General Plan adoption, a site became available and was purchased by the city. Efforts are underway to plan and design the new park. By adding 2.6 acres to the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by increasing the amount required to trigger a major amendment.

B. The proposed amendment benefits the public by fulfilling applicable objectives (indicated in *italics*) of the Land Use Element of General Plan 2030:

1. *Encouraging reinvestment and redevelopment appropriate to a particular area.* Making infrastructure improvements helps maintain a cultural amenity to the community and beautifies the area, promoting further reinvestment. Building a park in Victory Acres fulfills a long expressed need for recreational amenities and encourages continued investment into one of Tempe's Cultural Resource Areas.
2. *Developing and implementing plans that address particular geographic area needs.* The cemetery is land locked and at capacity, the plan to add mausoleums to Tempe's only cemetery serves current and future resident needs. Currently, residents living east of the Loop 101 Pima Freeway are cut off from other neighborhood parks or even school playgrounds. Building a park in Victory Acres provides residents safe pedestrian access to a neighborhood park.

3. *Promote neighborhood preservation and enhancement.* By creating an land use buffer that encourages community interaction in Victory Acres.
4. *Preserve significant historic resources.* By improving landscape treatment and gated entry to the cemetery, protecting the remains and monuments to Tempe's pioneers.

C. The proposed amendment benefits the public by fulfilling the following applicable objectives (indicated in italics) of the Open Space Element and the Public Art & Cultural Resources Element:

1. *Maintain and enhance existing open space* by adding the gate and infrastructure improvements to the cemetery, the existing open space will be enhanced, even with the addition of the mausoleums and overall reduction of total open space because more residents will be able to use the facility.
2. *Identify opportunities for new open space* by adding a new park in Victory Acres.
3. *Design structures with flexibility for future needs* by adding mausoleums to existing casket sites in cemetery and by designing park with sufficient open areas for impromptu play.
4. *Build structures for long-term use.*
5. *Provide facilities that promote community interaction.* Both the cemetery and the park are designed for community use, informal and formal gatherings and promoting a sense of place.

II. Identification of the impacts on applicable objectives of the General Plan:

A. Land Use Balance:

The greatest impact of the proposed amendment is in the change of land use balance within certain designations; below is a chart of the proposed amendments and the percent decrease to each of the General Plan 2030 Projected Land Use categories:

%Change	Acres:	From:	To:
.28%	5.4 acres	Public Open Space	Recreational/Cultural
.16%	2.6 acres	Residential	Public Open Space
	7.0 gross acres		

These proposed land use amendments would incrementally change the threshold for future amendments to the plan, by changing the acres required to trigger a major amendment. The combined amendments would have a .149% decrease of projected open space; with 1,872.3 acres of projected open space, any future amendment of greater than 18.72 acres would require a major amendment to the General Plan.

B. Transportation/Traffic/Streets:

Traffic impacts have not been studied with the proposed amendment, however, it is anticipated that providing mausoleums in the cemetery will not significantly increase the amount of traffic. The park is designed and intended as a neighborhood park, serving residents within walking distance. Parking is provided on street and for accessibility.

C. Public Services:

The addition of a new park will increase the service area provided by the city, it is estimated that Victory Acres Park would add approximately \$26,150 in annual maintenance costs to the Parks Budget.

III. Explanation of how potentially negative influences are to be mitigated:

The addition of a park into the neighborhood may have negative influences if it attracts people who wish to use the park for illegal or nuisance activities. These factors can be controlled largely by design and management of the park, and also through increased police patrols if necessary.

IV. Explanation of how the proposed amendment supports the Land Use Principles in the Land Use Element:

- A. *Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation:*

The present land uses do not have corresponding zoning standards, because the land is being used for open space and there are no zoning districts for public uses in Tempe. The intensification of the cemetery use does add structures which reduce surface area open land for rain water distribution, and increases structural surface for heat absorption; however, the scale of the project should not impact adjacent uses. The park site has zoning that would allow a greater intensity of use of the site than what is being proposed. Although a park is expected to serve a large number of residents, it is a less intense use than multi-family or commercial uses. A park use would have different impacts on adjacent land uses than what might have been developed with the existing zoning.

- B. *Describe the public benefit of the proposed amendment in terms of impact on the City's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, need for more streets, city services etc.) versus the impact of the present land use designation.*

The proposed cemetery improvements are not anticipated to have any additional impacts on city infrastructure. Minimal additional maintenance costs may occur as a result of the mausoleum structures. The proposed park is not anticipated to require significant water, sewer or utility needs; compared to commercial or multi-family uses, the park is a less intense use of the site. Traffic generation will predominantly be bike and pedestrian traffic; design of the park is not intended for significant vehicular traffic. The park increases the general retention available for stormwater runoff. City services will be impacted by the addition of a park that needs security and maintenance, which would not be needed as a privately developed residential site.

- C. *Describe the proposed development quality of life in terms of, physical elements and how its components reflect unique site design, building design, landscaping, integrate or provide access between varied uses, deal creatively with the automobile, reduce/eliminate physical barriers as well as provide residential, employment and shopping opportunities.*

Please describe the projects design elements here:

Mausoleum

Mausoleum structures would be constructed in the eastern portion of the cemetery and would respond to the character of the cemetery and the surrounding area. The mausoleum structures would vary in overall size and number of burial units and would be constructed in phases. Three structures would provide 384 burial units each, two structures would provide 576 burial units each, three structures would provide 786 burial units each and one structure would provide for 1,155 burial units. There would be approximately 6,336 total burial sites within the mausoleum structures.

Victory Acres Park

Victory Acres Park will be the 48th neighborhood park in Tempe. It will be located at 2407 E. McArthur in the Victory Acres neighborhood. The planned park is approximately 3 acres and features a playground, BMX/skateboard area, basketball court, ramadas and an open play area. Community involvement has been a priority throughout the parks planning and development process.

- E. *Describe the proposed development in terms of, 1) supporting regional and local transit objectives for arterial streets, 2) implementing the goals and objectives of the Comprehensive Transportation Plan, 3) the internal street system in terms of supporting the above goals and*

objectives, and 4) incorporating uniquely designed transit facilities along the arterial streets.
Not applicable

F. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities). Not applicable

V. Relationship of the amendment to the remaining elements of the General Plan:

- A. The proposed amendments implement the following objectives of the Accessibility Element:
- Use universal designs, which are cost efficient and benefit the greatest number of users possible.
 - Where possible, create multi-use access that does not separate portions of the populations
 - Promote ergonomic, human-scaled environments
- B. The proposed amendments supports the objectives of the Community Design Element by:
- Creating recognizable and usable places by enhancing enclosure, connections, permeability and transparency
 - Providing focal points
 - Encouraging and enhancing pedestrian movement
 - Responding to climatic factors and human comfort
 - Providing opportunities for interaction and observation
- C. The proposed amendments implement the following objective of the Historic Preservation Element:
- Identify, preserve and protect significant historic properties and archaeological sites
- D. The proposed amendments would implement the following objectives of the Neighborhood Element:
- Ensure that the planning process is open to all residents and businesses of the community
 - Promote neighborhood preservation and enhancement
 - Minimize traffic impacts
 - Develop walkable communities
 - Promote alternative modes of transportation
- E. The proposed amendments would implement the following objectives of the Redevelopment Element:
- Ensure the provision of adequate infrastructure
 - Encourage reinvestment, revitalization, redevelopment or reuse
 - Stimulate private investment
 - Attract new development
- F. The proposed amendments would implement the following objectives of the Economic Development Element:
- Promote a sustained improvement in the standard of living and quality of life for residents
- G. The proposed amendments would implement the following objectives of the Cost of Development Element:
- Encourage development that does not exceed planned infrastructure or service capacity.
 - Ensure that land use intensification or redevelopment provide for necessary infrastructure or service capacity
- I. The proposed amendments would implement the following objective of the Conservation Chapter Elements: Environment, Land and Water:
- Reduce the number of vehicle miles traveled
- Note: most of the objectives of this chapter of elements are specific to city policies and programs, not related to this proposed land use amendment.

- J. The proposed amendments implement the following objectives of the Transportation Chapter and the Pedestrian Network, Transit, Travelways, Motorists, Bikeways, Parking & Access Management Elements:
- Develop a functional relationship between the diverse land uses in Tempe and the transportation system that serves them.
 - Provide convenient and safe pedestrian access to destinations to promote neighborhood sustainability
 - Ensure accessibility for all
 - Provide safe and convenient bicycle access from neighborhoods, to schools, parks, shopping, transit, employment and other destinations
 - Create a compatible relationship with adjacent land uses
 - Encourage and plan for rail uses
- K. The proposed amendments would implement the following objectives of the Open Space Element:
- Maintain and enhance existing open space
 - Identify opportunities for new open space
- L. The proposed amendments would implement the following objectives of the Recreational Element:
- Provide a variety of recreational opportunities
 - Serve an expanding and changing population
- M. The proposed amendments would implement the following objectives of the Public Art and Cultural Amenities Element:
- Bring people together to celebrate diverse traditions, promote cultural awareness and inspire people.
- N. The proposed amendments would implement the following objectives of the Public Buildings Element:
- Provide facilities that promote community interaction and build relationships with service providers
- O. The proposed amendments would implement the following objectives of the Public Services Element:
- Facilitate infrastructure planning for future service needs

The remaining elements of the plan have objectives specific to city policies and programs, and are not directly related to the proposed land use map amendments.

